

By: Ellis

S.B. No. 1947

A BILL TO BE ENTITLED

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AN ACT

relating to the study of death eligible homicide cases committed and prosecuted in the state of Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The Office of Court Administration, through requests for proposals from competent scholars, the execution of an empirical study of a scientifically valid sample of all death eligible homicide cases committed and prosecuted on or after 1973 in the state. Such review and analysis shall examine for each such case (1) the facts including mitigating and aggravating circumstances, (2) the race and socioeconomic status of the defendant and victim(s), (3) the charges filed, (4) the crime for which the defendant was convicted, and (5) the sentence imposed. The focus of the study will be on geographic disparities, arbitrariness, fairness, and racial discrimination in capital charging and sentencing decision making in the administration of the Texas death penalty. The study shall be updated as new death eligible cases occur.

SECTION 2. Following the transmittal of a report of the Texas Commission on Law Enforcement and Criminal Justice to the legislature, the Court of Criminal Appeals may take judicial notice of such report in its adjudication of claims of geographic disparities, arbitrariness, and/or racial discrimination in the administration of the Texas death penalty.